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ABSTRACT

The effects of state policy on school restructuring efforts are examined in this report. Three main sections present a review of restructuring concepts, a process to determine state policy effects on school restructuring, and application of this process to applied learning in six states: Alabama, Florida, Georgia, Mississippi, North Carolina, and South Carolina. Methodology involved a statutory review and interviews with state representatives. Findings indicate that different starting points influence the ways in which schools attempt to restructure, and that combinations of some laws may hinder active learning. However, most state policies tend to permit restructuring if district support for individual school efforts exists. Respondents believed state-level policy makers strongly influence assessment and curriculum decisions, while district and local policy makers affect instructional strategies and student learning goals. Recommendations are made for the development of coherent goals, emphasis on successes, and publicizing the intent and flexibility of state policies, especially those providing incentives for innovation. Appendices include examples of restructuring efforts and information about state legislation and active learning. (LMI)

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A Process for Examining the Effects of State Policy on School Restructuring Efforts

Judy Bray
Policy Analyst

Education Commission of the States
Spring 1990

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EXECUTIVE SUMMARY

As we enter the 1990s, school restructuring is a hot topic--but even educators and policymakers are not sure that they are all talking about the same thing. Such ambiguity makes it difficult to determine how existing state policy supports or hinders school restructuring efforts. This report offers state-level policymakers: 1) a view of the concepts underlying restructuring, 2) a process to determine how state policy affects schools that are working to restructure, and 3) an illustration of this process as applied to the promotion of active learning in the six southeastern states--Alabama, Florida, Georgia, Mississippi, North Carolina, and South Carolina.

The Whys and Hows of Restructuring

American society has changed greatly since the foundations of the current school system were established. The student population is more diverse, and the proportion of students who must be well educated has increased. Fortunately, educators also know more than they did about how learning takes place; for example, they know that students must be actively involved in their own learning. But mere improvement of the current structures of schooling is not a sufficient reaction to these changes. Instead, the structures of schooling must be fundamentally altered.

The report finds that **how** schools attempt to restructure depends on what "starting point" for restructuring they use. Five starting points, interrelated in both concept and practice, were found: 1) effective governance, 2) teaching ALL students, 3) teacher professionalism, 4) effective and efficient use of resources, and 5) promotion of active learning. Appendix

A describes several ongoing restructuring efforts and their starting points in detail.

A Process to Analyze State Policy Environments

The report identifies a process by which policymakers can analyze policy environments in their own states to determine their impacts on educational restructuring. A small study group should be established, identifying a study focus to determine the types of policies they will examine and establishing criteria to predict the effects of these policies. A search of existing statutes yields specific policies that the group categorizes preliminarily as promoting, allowing, or hindering the implementation of their study focus. The group verifies or alters their original categorization by interviewing one or more experts. Finally, the study group selects and interviews several state-, district-, and school-level persons involved in education, asking how specific policies affect their study focus and who can influence decisions about its implementation.

Findings of the Process When Applied to Active Learning

The Education Commission of the States (ECS) used this process to analyze the policy environment confronting the promotion of active learning in the Southeast. Criteria were established relating to curriculum, time use, instructional strategies, student learning goals, statewide assessment, and roles and relationships. The specific policies examined included course and graduation requirements, curriculum frameworks, performance objectives, testing, specifications for grade assignments and student promotion, and

textbook selection. Incentives for innovation, such as waivers, experimental status, recognition, and grants, also were examined.

The report finds that, taken in combination, some sets of laws may present formidable obstacles to the promotion of active learning. Although waivers are generally available, their existence is not well known, and the application processes are often cumbersome. However, most policies would permit restructuring as long as the district supports the school sufficiently to protect fledgling experiments--by explaining the effort's intent to state officials and by seeking waivers or experimental status when necessary.

The report also found that incentives and rewards for innovation were available in all states. However, these incentives and rewards are well known only in North Carolina and South Carolina.

Respondents felt that state-level policymakers strongly influence assessment and curriculum decisions. State influence over instructional strategies and student learning goals was also strong, but district- and local-level educators had considerable influence. Respondents from all levels had widely varying perceptions of their personal influence.

The report recommends that policymakers develop coherent goals and expectations of the education system, that successes be highlighted, and that the intent and flexibility of all state policies, especially incentives for innovation, be publicized.

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INTRODUCTION

People across the country are talking about the need to restructure American schools, especially secondary schools. On the surface, it seems as though these people are all talking about something different; the restructuring conversation in one school, district, or state centers around site-based management, while, elsewhere, higher-order thinking skills or teacher professionalization are recurring topics.

The purpose of this report is to clarify what restructuring is and to help interested parties decide how state policies can either promote or deter restructuring efforts. The report was prepared for the Southeastern Educational Improvement Laboratory (SEIL) and focuses particularly on the policies in the six states in the southeastern region--Alabama, Florida, Georgia, Mississippi, North Carolina, and South Carolina.

The report provides: (1) an understanding of the emerging meaning of restructuring; (2) a process by which policymakers and persons who influence state policy can study how state policies affect school restructuring; and (3) an analysis, based on that process, of how selected state policies in six states affect one key aspect of restructuring--active learning.

The perspective of the report is that restructuring is necessary because today's society demands that all students leave high school with more than basic skills. They need to be prepared to be effective problem solvers, thinkers, and communicators. Such a new goal may require changes in the traditional structures of education, such as the use of time, the connections between subject areas, and the relationships between teachers and students.

Further, the report is grounded in the belief that because the world has changed dramatically since the current structures of schooling first evolved, these structures should be given careful reconsideration in every state. Each state should review its policies and the general climate for change, and policymakers should determine whether policies and climate provide coherent support for the goals of the state education system and, indeed, whether those goals reflect the direction that policymakers intend.

The concept of restructuring is an evolving one. The term is used frequently today, but with little consensus on what it means beyond the recognition that minor adjustments in schooling are insufficient to deal with the broad social, economic, demographic, and technological changes occurring in our country. Rather, the term is used to imply that fundamental and more comprehensive change--restructuring--is needed.

Section I provides a rationale for restructuring and offers an analysis of five starting points for restructuring:

1. Providing more effective governance.
2. Teaching ALL students effectively.
3. Developing a more professional teaching force.
4. Using resources more effectively and efficiently.
5. Stimulating active learning in students.

Section II of the report presents a general process to be used to study policies that may affect restructuring. The approach is based on the following steps:

1. Establish the area of policy interest.
2. Establish the criteria for analysis.
3. Determine the key questions of interest.

4. Review state laws and conduct interviews to obtain needed data.

5. Analyze the data based on the criteria and key questions.

The process acknowledges that the line between policy, policy interpretation, and tradition is difficult to discern.

Section III of the report describes a study conducted in six states, using the process outlined in section II. This study examined state policies that seem to influence the ability of schools to restructure from the beginning point of increasing active learning in students. Restructuring for active learning requires a shift away from students being passive recipients of knowledge to becoming actively involved in learning, triggering changes in roles and relationships throughout the system. The policies studied govern the use and structure of time in schools, curriculum, assessment, and student learning goals.

The report concludes with the recognition that restructuring is still uncharted territory and the school changes begun recently will take years to be developed fully. Although development of sweeping state policy reforms to support restructuring would be premature, some state strategies are identified that support and enhance restructuring for more active learning. Policymakers are encouraged to determine how their laws are perceived by a variety of persons in different types of roles (role groups), so they may uncover the real barriers to school restructuring.

I. RESTRUCTURING SCHOOLS: WHY AND HOW

The current education system was designed for an earlier age. It was built for another time, another group of people, another set of needs. It is structured by rules, regulations, and traditions that protect the rights of all students to learn certain minimum skills, but the system allows little room for students to exercise innovation and creativity--characteristics essential if students are to learn to use their minds well.

Young people need to be able to understand complex problems and situations and then, with the necessary intellectual tools, apply their knowledge in a variety of situations. This requires a synthesis of abilities --not just skills in math and science or language arts. In the workplace of the future, there will also be a need to communicate, solve problems on the spot, process and synthesize information from across the country or from other countries, and deal with people and computers at the same time. These are the skills all young people will need in an information-rich society.

Why Restructure?

There are many differences between conditions that prevailed when the foundation for today's education system was built and the conditions that exist today.

First, <u>educators now know much more about how learning occurs</u>. Earlier in this century, most educators assumed that the best way to teach was to give students independent bits of information, primarily through lecture or individual reading. This method fit the needs of our society at the time. It also appeared to be the most economically efficient way to carry out mass

education. Now there is considerable evidence that for many students, and for genuine understanding, this is neither the best nor the most efficient method of teaching and learning. To be engaged in active learning, students must learn not only facts and skills, but also how to apply them in important situations. They must use facts and skills as they inquire into important questions; they must be involved in give and take with the teacher, other students, and other adults. Efficient and effective learning involves **constructing** knowledge (for example, using inductive and deductive reasoning and other higher-order thinking skills), not just receiving it passively.

Second, the proportion of students who need to be well educated has changed. In the past, just having basic skills of reading, writing, and arithmetic was sufficient for most jobs, and even students who could not read and write well could still find work and entry into the middle class. As more manufacturing and laboring jobs are eliminated or moved offshore, the remaining jobs and the social and economic issues in America more often demand that people be good thinkers and problem solvers and know how to adapt and apply information and skills to a range of situations.

Unless students begin to make substantial gains in education, southeastern states will not have the ability to compete successfully with other states or countries. Of the 10 million new jobs that will be created in the South by the year 2000, most will require a high school education and many will require some postsecondary education. States that have large percentages of citizens who are not fully productive and are not prepared to meet the new challenges will experience even higher rates of unemployment and decreased standards of living.

Third, the student population is much more diverse than the population for which the educational system was designed. One-third of the nation will be African-American or Hispanic by the early part of the next century, and these are groups with whom the current system has had the least success. In many urban areas of the Southeast and the rest of the country, students bring a wide variety of cultures and languages into the classroom. The educational system was not designed to handle so much diversity. Limited success with any of these diverse student populations is no longer an acceptable goal.

Fourth, the system was based on assumptions about ways in which parents would support schooling. It assumed, for example, that all students come to school well fed and from fairly calm, supportive homes with regular routines that give their lives a pattern. The degree to which these and related factors are now true for most students varies greatly. Schools, districts, and states cannot proceed successfully under the assumption that all students possess these external mechanisms of support for schooling.

Fifth, economic and social changes are more rapid, pervasive, and tangible. The current system was not designed to accommodate rapid changes in social conditions and public expectations for schooling. The nation needs a system that can adjust quickly to such changes. And the learning process must prepare students to be flexible and adaptable. Demographers warn that workers of the future should expect to make career changes more often than workers in any previous generation, which suggests that they will need the capacity to learn new and different skills throughout their lives.

"Improve" or "Restructure"?

Until recently, state education reforms have focused on improving the system as it is currently structured and organized. Reformers have asked for additional time devoted to learning, additional teacher training, increased rigor in the curriculum, additional testing, increased attention to the needs of "at risk" youth, higher graduation requirements, longer school days, and increased efforts to lower the dropout rate. These reforms have been important, especially in states and schools that have lagged behind national standards.

Most of these reforms did not alter the traditional structure of schooling or question its capacity to meet modern needs. Increasingly, however, a variety of policymakers, reformers, business leaders--and even the President of the United States--have questioned the system itself and wondered if it can be improved enough to meet future needs or if it should be changed fundamentally--i.e., restructured.

To illustrate the difference between improving the system and restructuring it, consider five "structures" that directly affect teaching and learning in the classroom. These are time, instruction, curriculum, testing, and roles and relationships.

Time. Secondary schools are typically scheduled around instructional blocks of 45 to 55 minutes. Organizational priorities clearly take precedence over learning priorities under such a schedule. There is no current research to suggest that a daily sequence of six or seven disconnected courses increases student learning. In fact, the opposite is more likely true--people learn best when they are not forced to change gears every hour, and learning is enhanced by the opportunity to become deeply engaged in a subject.

Traditional schedules allow little time for teachers to work with one another and share ideas about their students' progress and needs. Also, teachers who must teach 150 or more students every day find it difficult to get to know their students well enough to determine their learning needs. The structure of time in a school says a great deal about its priorities. Recent education reform efforts have emphasized more time on task, longer school days, and more days per year, but they have not typically offered schools the opportunity to rethink how that time is used.

Instruction. Studies of schooling indicate that teacher lecture and reliance on textbooks are the rule in most secondary classrooms. Students, grouped into classrooms according to ability, face the front of the room and receive instruction passively. Teachers are formally and informally judged to be effective if the classroom is "under control," meaning the classroom is quiet and orderly and progress through the text can be predicted with some accuracy. But many students learn best when they are expected to actively work at learning, using information in a variety of ways, including individually or in groups, and when they are exposed to a variety of teaching techniques.

Some approaches to increase the number of students who actively work at learning, such as cooperative learning groups, encourage students rather than teachers to take responsibility for some of the pace and flow of instruction. Increased use of these approaches means classrooms are noisier and students are not all doing the same thing at the same time. Education reforms of the past two decades have encouraged more rigorous teacher training and evaluation, more stringent requirements for high school graduation, and an emphasis on the basics. However, rather than increasing requirements,

stimulating active learning requires fundamental changes in how teachers are trained and evaluated and what kinds of courses are offered to and taken by students. It also requires rethinking how students are grouped and how instructional materials are selected and used.

Curriculum. High school teachers are certified in specific disciplines, and secondary courses are organized in the same fashion. Teachers, then, are responsible only for student learning in their own areas of specialization--English, history, mathematics, science, etc. Because cross-disciplinary learning is rarely emphasized, it is the responsibility of students, rather than teachers or schools, to make the critical connections between courses. Without an understanding of these connections, such as the relationship of economics to U. S. History, many students are unable to apply what they have learned to new situations. Structures such as teacher certification, curriculum requirements, student expectations, and school schedules need to be altered to make this possible.

Testing. A national debate continues regarding the focus and nature of standardized testing and its effect upon curriculum. While most people agree that statewide tests (including norm- and criterion-referenced tests, high school exit exams, nationally developed and state developed tests) influence what is taught in high school and how it is taught, the real debate centers around whether that influence is currently positive or negative. Supporters of the expansion of standardized tests in use today believe that these assessments are an effective tool to help schools and districts identify weak spots and an efficient mechanism for comparing student achievement across states, schools, and classrooms. Critics worry that the skills measured are too limited and will focus instruction on basic recall of unrelated facts,

memorization, drill, and practice for the tests. Observers concerned about the use of tests to determine which students get enrichment programs and a chance for higher education demand more attention to statistical evidence of the cultural and gender bias of today's standardized tests. All agree that standardized tests to determine student graduation or promotion, rank schools, or impact funding have become a fairly solid structure of schooling during the past 20 years.

Roles and relationships. Changes in any of the above structures require rethinking the roles and relationships within and among schools, districts, and state organizations. For example, if students shape their own learning experiences, how does this change the teacher's role? If teachers become more active in the development of a school's curriculum, how does the role of district curriculum specialists change? How are collective bargaining relationships altered by changes in teachers' responsibilities? If several districts can justify the benefits of atypical allocations of funds, how does the relationship between districts and the state education agency change?

These are a few of the issues policymakers who wish to restructure the education system must address in deciding what path will best accomplish the goal in their state. Because states and their education systems differ, it is likely the paths they take will be unique.

Beginning Points

Although people who recommend restructuring agree that some kind of redefinition of schooling is required, they do not agree about how this should be done. The term "restructuring" has come to mean different things to different people.

For purposes of this paper, "restructuring" connotes fundamental changes in some or all of the major structures of schooling. These structures include such things as the use of time, the connections between subject areas, and the relationships between teachers and students. Restructuring involves redefining and reconceptualizing what is going on in classrooms, schools, districts, and the state education system. It acknowledges that improvement of the system's current structure will be insufficient for the educational needs of the future.

Schools and districts have usually begun restructuring for their own reasons and have fashioned their efforts to suit their own contexts. Considerations of timing, ongoing efforts, previous experiences with change efforts, level and type of support systems for the changes, and the interests and abilities of staff have all influenced where they start and how they proceed. However, upon examination of currently available descriptions and discussions about restructuring, at least five themes emerge. These themes represent the initial reasons for restructuring or, for most efforts, the issue around which the effort began. The key question to be asked is always "restructuring for what?" What kinds of outcomes are desired?

1. Restructuring for more effective governance. Some restructuring began from the observation that the people closest to the educational challenges--teachers and people who deal directly with students--should have greater roles in making decisions about learning. They have called for a general "delayering" of bureaucracy and deregulation of the education system. For example, in a system with "site-based management," schools would be expected to meet certain baseline accountability requirements but would have a degree of freedom to devise

their own means for meeting them. The assumption is that decisions need to be made by those who know the students best. Some plans include provisions to encourage community members, parents, and school personnel to become involved in the decision-making process through a governing body responsible for developing policy and directing improvement efforts.

A change in governance and decision-making processes will not necessarily lead to changes in the structures of schooling that directly affect student learning such as time, curriculum, instruction, and testing. Efforts to restructure for more effective governance tend to be concerned primarily with the overly bureaucratic nature of the system and the inability of the system to respond to constituent needs and interests. The assumption is that until these barriers are removed, attention can not be directed to how to improve student learning.

2. Restructuring to teach ALL students effectively. This approach begins with the observation that schools are designed to serve some students better than others. In the past, educational efforts on behalf of poor and nontraditional students have, by and large, focused upon trying to compensate for perceived deficiencies in children's backgrounds, rather than finding ways to build upon strengths. People who approach restructuring from this point work to eliminate the self-fulfilling prophecy of low-track classes, especially those that automatically sort disadvantaged students into remedial basic skills classes year after year. They attempt to disprove widespread assumptions that achieving those basic skills is a prerequisite to learning to think. They adopt high expectations for all students and

try to build bridges from the strengths that young people possess to the things that the school wants them to learn.

In practice, this approach can affect the whole school, not just the disadvantaged or low-ability students. Students previously ineligible for high-level content classes are brought into the mainstream of schooling more frequently, and teachers become responsible for groups of students of diverse abilities and perspectives. In some districts, this approach leads to alternative schools with entirely different teaching styles and different relationships between young people and adults. Some institute a variety of support programs or curricula that allow students to comprehend and deal more effectively with school values, language, and procedures. Interactions between the school and the community may change considerably in such schools. Mentoring programs and innovative business partnerships that interest the full range of students are not uncommon, and closer links are fashioned between schooling and work experiences. The notion that "all children can learn" provides a context for the restructuring process and focuses decision making in these schools.

3. Restructuring for a more professional teaching force. This approach to restructuring envisions changing work environments to encourage bright and capable teachers to enter the system and providing incentives for them to stay. Teachers have greater access to new ideas, opportunities to visit other schools, and more involvement in redesigning the education system. Teachers are encouraged to be creative and to grow professionally throughout their careers.

This approach stimulates inquiry into the barriers to teacher professionalism. Is the work environment conducive to professional behavior? Are teachers held accountable in the ways lawyers, doctors, or accountants are? Are opportunities for professional collaboration and growth available? Are labor/management relations and structures what should be expected in an organization of professionals? How does the profession certify its members and screen poor performers? These kinds of questions can lead to major structural change related to how teaching is taught, certified, and practiced. As with the beginning point of more effective governance, however, professionalizing teaching does not automatically lead to more learning for students. Professionalism is not the desired end of restructuring, but it may be a means to help bring about higher levels of learning for all students.

4. Restructuring for more effective and efficient use of resources. Efficiency is making the best use of resources, including time and people; effectiveness is how well schools do what they aim to do. Both efficiency and effectiveness have always been important goals of schooling. Some restructurers argue that new structural arrangements will, and must, bring about more effective and efficient use of resources. Others concerned about efficiency and effectiveness promote changes such as greater use of telecommunications and shared services across schools or districts. It is conceivable that high-quality education could be supported in yet undreamed of ways. Explorations that begin from this point can range far into futuristic scenarios about "learning communities," "schools without walls," and "electronic schools." The key to productive restructuring discussions that begin

with resource considerations is to keep the focus on the desired outcomes.

5. Restructuring for active learning. Active learning is an umbrella term for a number of outcomes that emphasize students using their minds more fully: reasoning, critical and creative thinking, problem solving, higher-order thinking skills, or higher literacies. The main goal of this approach to restructuring is to ensure that students go beyond learning isolated basic skills to knowing how to use all their mental capacities in order to accomplish real and meaningful tasks. This requires practice and genuine engagement in learning tasks.

This beginning point forces people to look hard at their curriculum and their instruction. Is the curriculum challenging to all students? Does it contain sufficient opportunity to learn and practice critical, creative thinking and problem solving? Are students reading challenging material, writing, inquiring, reflecting, discussing, collaborating, and undertaking significant projects? Do teachers know how to encourage such practices and, if not, how they might acquire the appropriate knowledge and skills? Do teachers themselves have ample opportunity to be thinkers and problem solvers? Are time and other resources allocated in ways likely to encourage these kinds of activities? Do state and district curriculum mandates and tests encourage these kinds of activities? These are the kinds of questions most often asked when people begin their restructuring effort from this point of view. And the answers they develop can lead to changes in organization, roles, schedules, curriculum, and testing when they are pursued in a schoolwide renewal effort.

These beginning points to restructuring are conceptually interrelated, and early experiments in restructuring suggest that they are even more closely linked in practice. Some schools and districts that began with an emphasis on one of the issues above have expanded their efforts to encompass others as well. Other efforts tend to reflect a mix of improving the current system and restructuring it. However, all of the examples reflect the current transition in thinking from the need to simply improve the existing system to changing it fundamentally.

Examples of initial experiments with restructuring, provided in Appendix A, show that current efforts are a mixed bag of activities to change elements of the existing system, as well as a mix of the starting points listed above. Although states have begun to initiate efforts to support the restructuring occurring in some schools and districts, they generally have facilitated changes by offering waivers and exemptions of policies that create barriers. Before any state embarks on a thorough and systematic alteration of state policies to support restructuring, it is crucial to understand the policies, rules, and regulations already in place and explore whether and in what ways they inhibit or support school restructuring. A school's structure is the product of numerous laws, rules, and traditions. Changing it significantly will require figuring out how such policies and practices interact and influence that structure.

School restructuring is a new and uncertain endeavor. There are very few schools in the country that have actually "restructured," and the links between state policy and the ability of schools to restructure are virtually unexplored. Many educators beginning to experiment with central concepts of restructuring, such as the five beginning points described earlier, are

increasingly enthusiastic but express the belief that state policy prevents or limits their efforts.

To test the assumption that state policy "gets in the way" and to provide policymakers with a method for understanding the actual impact of policies on those experimenting with new structures, ECS researchers developed the process described in the next section. This process is not intended to produce a scientific study, but rather one that allows state and local policymakers and educators to discover for themselves how (and even whether) policies will have an impact on school restructuring.

II. A PROCESS FOR ANALYZING STATE EDUCATION POLICY

Before state policymakers decide on a policy approach to restructuring, it would be very useful to study policies currently in place from a variety of perspectives, such as the five starting points for restructuring, to determine how policies and the policy environment promote, hinder, or are perhaps neutral to changes initiated from these perspectives. The study process described below is designed to aid people within a state in studying their own policies. The approach is based on the following steps:

1. Establish the area of policy interest.
2. Establish the criteria for analysis.
3. Determine the key questions of interest for the study.
4. Review state laws and conduct interviews to obtain needed data.
5. Analyze the data based on the criteria and key questions.

The approach acknowledges that the line between policy, policy interpretation, and tradition is difficult to discern.

In terms of knowledge gained, the greatest benefits accrue to those who design and carry out the study. It is they who truly are engaged in learning. The process described below requires that a study group fashion and debate a vision of schooling from which to draw their own study design. Their learning is extended by classifying policies, by debating the collective influence of policies, and, particularly, by using field contacts to gauge the accuracy of the study group's assumptions.

It may be beneficial to fashion and conduct the study using a cross-role study group (a group representing several different policy roles), including key state and local staff, teachers, administrators, community and

business representatives, parents, and students. There are several advantages to convening such a group.

First, those involved will broaden their understanding of the issues by simple association with study group members from other role groups. Second, to the extent that the study group members share their experience with peers and colleagues outside the group, an even greater variety of perspectives will come to infuse the study and recommendations for next steps. Next, inclusion of people from a variety of roles helps to ensure the study results will be sensitive to these multiple perspectives. Finally, a group drawn from the broad spectrum of a state education system increases the likelihood that a small but stable base of support for the study findings is secured from the outset, so that if action is needed, study group members may be mobilized to help articulate the study's perspective.

Establish the Area of Policy Interest

The first job of the study group is to identify how best to break down the broad framework of state education laws, recognizing the fact that state policies are not all likely to fit cleanly into one category or another.

One approach is to take one of the five starting points of restructuring described in Section I of this report as the study focus. For example, policies might be grouped as follows:

More Effective Governance

- reporting requirements
- regulation of processes
- school councils
- site-based management
- incentives for risk-taking
- innovation and collaboration
- responsibilities at state and local levels and among educators, students, and parents.
- choice

Meeting the Needs of All Students

- tracking/mainstreaming
- dropout prevention or gifted and talented programs
- mentoring
- collaboration with other agencies
- alternative schools
- magnet schools
- heterogeneous vs. homogeneous grouping

Teacher Professionalism

- working conditions for teachers
- salaries
- accountability of teachers
- staff development
- teacher certification
- career ladders
- expectations
- decision making and responsibilities

Efficiency and Effectiveness

- use of technology
- multiple uses of schools
- shared services across schools/districts
- reallocation of resources
- delayering
- school calendars

More Active Student Learning

- curriculum
- use of time
- instruction
- student learning goals
- assessment

Some laws would appear in more than one category, but issues would be addressed from several different points of view. For example, funding formulas may need to be considered in each category, although the formula's impact might be greater for some areas than for others. Certain policies related to incentives and opportunities for change (e.g., experimental

programs, incentive grants) should be reviewed in each study to determine how they would help promote the particular type of change under investigation.

Establish the Criteria for Analysis

Once the area of investigation has been identified, it is essential to identify and clarify the criteria by which policies will be analyzed. The criteria are central to the study process because they serve as the standard of acceptance by which policies will be judged. It is also important that the criteria be agreed upon by the full study group. If individual group members define the criteria differently and the differences are not resolved (or at least acknowledged), debates about policies can become frustrating, rather than productive--group members will simply not be talking about the same things. Considerable attention should be turned to the criteria that will be used, and study groups should plan to spend the time needed to ensure that all members have a common understanding of the meaning of the criteria.

For example, assume the group decided to study restructuring for more efficient governance, including the list of policies provided on the previous page. The task of creating criteria would mean identifying the characteristics of policies that are necessary to promote restructuring.

Consider the criteria for site-based management. The group would need to debate the nature of site-based management to promote the type of governance change they believe is needed. For instance, they may include in their criteria the need for greater responsibility and authority for teachers and parents, and the importance of shifts in the roles and responsibilities of principals and superintendents. The group might stipulate that the policy may not undermine the responsibilities of the school board.

The setting of criteria is likely to be facilitated by examining research and experiences in districts and in other states on the topics to see what appears to be effective.

Determine the Key Questions of Interest for the Study

Some basic questions are generic enough to be used for a study of any of the types of restructuring:

- Which state statutes and regulations appear to affect the ability of schools to restructure for [changing the governance structure] [increasing teacher professionalism] [meeting the needs of all students] [increasing efficiency and effectiveness] [providing more active student learning]?
- What role groups (e.g., teachers, district policymakers) believe they can influence decisions about [the primary types of policies that relate to the aspect of restructuring being studied]? How do these patterns of influence vary among groups?
- When given three or four examples of laws related to restructuring for [focus], how do people from different role groups perceive the impact of the laws?

In establishing the general questions, the focus should be on thinking through the questions that will help the group understand the impact of current policies, the possible policy changes needed, and the other leverage points to change the broader policy environment.

Review State Laws and Conduct Interviews to Obtain Needed Data

Review state laws. Appendix B describes how and where to find statutes and other laws and discusses some of the issues to consider in compiling the laws. It is possible, but not necessary, to have one of the study group members conduct the actual statutory search. However, a search conducted by a consultant lawyer who is not a member of the study group can provide a helpful measure of objectivity. The key to the statutory search is to ensure that the

resulting compilation does not leave out significant elements of the policy study area.

The goal in reviewing the state laws is to gain a comprehensive picture of the philosophy conveyed by the laws and supporting regulations and to identify specific policies that appear to have an impact on the vision described by the policy criteria. The cluster of policies chosen for the focus of a study will help identify relevant statutes.

To analyze the policies more effectively, the study group should devise a rough classification system that will allow tentative assumptions about policy impacts to emerge. Study groups can expect to alter these assumptions as new information is received--for example, when state board regulations are examined and included in the study.

State statutes may be initially classified into groups of laws that appear to promote, hinder, or allow particular kinds of changes. Comparing state laws against the criteria, the study group can make assumptions about the impact of the policies.

Existing policies can be roughly classified into three categories. Policies that **promote** desired actions include those most likely to encourage rapid or enthusiastic response. They may provide motivation for those who might otherwise feel constrained or be unwilling to challenge the status quo. Options for waivers or exemptions from policies would be included in this category only if a school was provided some incentive to seek them (e.g., increased staffing flexibility). Policies that **hinder** desired actions are those that limit or run counter to the criteria established and/or those from which exemptions or waivers are rare or difficult to obtain. Policies that neither hinder nor promote a particular approach merely **allow** for changes.

These policies do not expressly prohibit elements of the criteria, but they would require schools or districts to work against the broad framework set by state laws.

It is likely that the study group will find that policies cannot be easily classified into these three categories. Yet it is useful to attempt the classification because it helps to identify specific examples of policies that can be included in a set of interviews to evaluate the actual impact of the policies.

Conduct interviews. To ensure that the appropriate set of laws has been selected and to request further information, such as board regulations or other supporting documentation, it is advisable to contact someone who is not a member of the study group but is well-versed in the state's policies. Most helpful is someone with a good working knowledge of and access to state board of education regulations. The study group should ask this contact to review the statutes selected, along with the study criteria, to identify additional statutes that may be needed or suggest deletion of laws that are not relevant. In addition, the group may want to work through this contact person to obtain state board regulations that relate to the laws selected for study.

Using the selected statutes and any additional information received from the policy contact, the study group determines whether their initial assumptions about the impact of the identified laws are still valid. Some reorganization of provisions into different categories is probably inevitable, and, to the extent that board regulations are more specific, they may replace the statutes.

With the state statutes, the board regulations, and the preliminary interview with a state contact person, the study group has enough information

to formulate and test a solid set of assumptions about the effect of state law on a school or school district attempting to move in the direction described by the study criteria. The group should design a set of questions that will address the sections of state law that seem to have the greatest impact on the study criteria used.

When selecting persons to interview, it is useful to consider the types of people whose views will add to the study group's understanding of the issue. For example, people should be identified at the state, district, and school levels, and representation from districts of different sizes and economic bases would be helpful. Equally important, however, is to identify individuals who are likely to have some knowledge of the issues central to the criteria for the study. Because the purpose of the study is to gain a better understanding of how policies might affect the implementation of emerging concepts, objectivity is far less important than working knowledge of the central criteria.

It is helpful to send participants the questionnaire and any additional materials well in advance of the interview to allow time for thoughtful review. Before beginning the phone interview, it is important to assure participants of complete confidentiality and to make sure that those ground rules are kept. The people who agree to participate in the interview are taking something of a risk by commenting on state policies--after all, powerful individuals have formulated these policies and are frequently still in powerful positions. Participants are more likely to be honest about state policies if they know they can respond anonymously.

Study groups conducting interviews within their own state should select a neutral, objective individual to select participants and conduct the

interviews. Participants' perceptions of the impact of policy are important, and candid opinions are desired. The interviews should help the study group refine their assumptions about the impact of laws studied.

Analyze Data Based on Criteria and Key Questions

The approach to analyzing the data from the policy review and interviews should be designed to help policymakers determine how best to move the system toward the vision of a restructured system represented by the study criteria. Changes in the policy environment--the traditions, understandings, and perceptions of people--may be as important, or even more important, than the actual change in policy. It is useful for the group to consider what they have learned from a variety of angles.

- What are the basic educational commitments implied or explicitly stated by the policies? For example, is the commitment to educate all students to be effective problem solvers, thinkers, and learners or just to learn the basics?
- How do policies influence the way people work together?
- What is the level and nature of discourse about education and policy implementation in and across schools, districts, and communities? Who is involved in discussion and decision making about policy and practices?
- How do different role groups perceive their responsibilities? How a district superintendent, a legislator, or a school board member views and carries out his or her role is as important as how teachers view their roles.
- Who should be held responsible for what?
- What has the state chosen to regulate and reward?

The analysis should move beyond simple consideration of regulation to include stimulation, creating environments for change and creating new standards, measures, roles, and responsibilities. It also should consider stimulating wider collaboration among groups that have not traditionally

worked together and creating real incentives and rewards for innovation at all levels.

III. STATE POLICIES AND ACTIVE LEARNING

Looking across the five potential beginning points for restructuring, described in Section I above, one point particularly addresses the fundamental purpose of schooling. Restructuring for more active student learning represents an ambitious agenda that focuses specifically on higher outcomes for all students. Therefore, a policy study was designed around elements of active learning using the process described in Section II. This is not intended to be a definitive study of the policy environments for active learning in the states participating but, instead, is meant to provide an application of the process.

At the core of the restructuring for active learning concept is a shift in the role of students as passive recipients of information to active learners. (See Appendix C for a more thorough discussion of active learning.) Interestingly, a shift in students' role from passive to active thinkers and doers permeates the other four aspects of restructuring as well. Governance, meeting the needs of all students, the nature of the teaching profession, and the use of resources are all likely to come under scrutiny in schools restructuring to increase the active engagement of students.

Criteria for Active Learning

A set of criteria about the structures of schooling and school system organization formed the basis for this study of active learning and state policy. These criteria, identifying the elements considered by the study group to be key to active learning, can be classified into five areas:

curriculum, use of time, the instructional process, student learning goals, statewide assessment, and roles and relationships.

Curriculum. Decisions about curriculum should be guided by the idea that active learning requires students to be able to engage deeply in important concepts and to have the opportunity to construct meaning across disciplines. Teachers should think of themselves as "generalists," rather than "specialists," so that they can help students build mental bridges between disciplines. Covering content is less important than developing a deep understanding of concepts central to the school's mission, which may be different from one school to the next. This means undertaking a fundamental reconsideration of policies guiding course coverage and materials, scheduling, and core curriculum, with teachers and principals serving as key decision makers on these issues.

Time. Sufficient time to explore the meaning of concepts is necessary, and the organization and presentation of subject matter should be determined by the needs of the students and the teachers' strengths and creativity. Class scheduling may need to be rethought, with longer blocks set aside for interdisciplinary work. Teachers must be allowed time to consult with colleagues about their collective work in the school, to help develop a new vision for their school and ensure that the vision does not fade, and to tailor curricula to suit the needs and learning styles of their students.

Instruction. All students can learn, although all students do not learn in the same ways and at the same pace. Schools should be structured to encourage the development of essential skills and knowledge for all students, and practices should be tailored to meet the needs of every student. Students might use a variety of approaches to meet course expectations, meaning that

all students are not always doing the same thing at the same time. In an active learning environment, students are responsible for the significant classroom work, and teachers serve as coaches, rather than the more traditional teacher role of delivering knowledge to passive, quiet students. Expectations of teachers must undergo significant changes: teacher training and staff development is necessary to help teachers rethink their new role and encourage students in their new role, as well. Curriculum frameworks, tracking, and instructional practices must be examined to ensure that all students are provided with challenging intellectual experiences.

Student learning goals. A high school diploma should be awarded when students can exhibit the central skills and knowledge of the school's program. Students should be told from the outset what they will be expected to master, and they should have a role in determining how they will exhibit their mastery. Strict grade promotion and graduation requirements that are closely tied to "time spent" do not support an expectation that students will become active learners. If students have mastered material, they should be able to demonstrate that knowledge in convincing ways--through their writing, speech, action, and problem solving.

Statewide assessment. Because statewide assessments of all kinds tend to focus the attention of districts, schools, and teachers, it is essential that what is tested genuinely reflects what the state hopes that students will learn. State assessments typically measure, for example, the students' ability to recall unrelated facts covered in various courses, to identify the best answer to a problem, to read a brief passage and respond accurately to questions about it, and, in a few states, to write an impromptu passage on a particular theme or in a certain style. While these skills do represent some

important things for students to learn, an assessment system that supports active learning would need to go beyond factual recall and multiple-choice items to measure a student's understanding of complex concepts. Such a system would help to identify how well the student communicates ideas, formulates and tests hypotheses, and applies skills to accomplish important work.

Roles and relationships. In order to handle the complexities of active student learning, decisions about curriculum, instruction, school programs, and operations need to be made closer to the school and student. Incentives are needed to encourage risk taking, innovation, and collaboration. After careful examination of the results of innovative activities, it may be desirable to begin deregulation, delayering, and new distribution of responsibilities at state and local levels and among educators, students, and parents.

Key Questions

Once the area of primary interest--active learning--and the policy analysis criteria were established, key questions to focus the data collection and analysis were generated. This study sought to answer those questions within six southeastern states--Alabama, Florida, Georgia, Mississippi, North Carolina, and South Carolina. The data were derived from each state's statutes and regulations and from a survey of a small sample of educators, policymakers, and staff members at state, district, and school levels. The questions asked were:

1. Which state statutes and regulations appear to affect the ability of schools to increase active learning?
2. How do people from different role groups perceive the impact of the laws?

3. What role groups among those surveyed believe they can influence decisions related to curriculum, instruction, assessment, and student learning goals?

The objective of these questions was to obtain answers that offer a glimpse of state policies as they are written and to see how those policies are interpreted by individuals from different parts of the state education system. By looking at the messages inherent in existing state policies and by identifying the different ways policies are interpreted, state policymakers may be able to better determine how to proceed in developing a policy environment to support active learning.

Study Process

A statutory review was conducted, using the broad categories of curriculum, instruction, assessment, and student learning goals to identify relevant state statutes for the study. The statutes were analyzed, and those that appeared most applicable to active learning were selected for in-depth review.

To ensure that an appropriate set of laws had been selected and to solicit state board regulations that might clarify the statutes, a state education agency or legislative staff member well-versed in state policy was contacted in each state. Using the regulations, the selected statutes, and the advice of the contact person in each state, a set of state-specific questions about the impact of three or four laws and regulations was devised. A second set of questions used in every state asked about the primary influences on curriculum, instruction, assessment, and student learning goals in the state and how much leeway each respondent interviewed had to implement change in these four areas.

Up to seven individuals in each state were contacted for interviews. Of these, some were involved in state policy development or analysis, some were in schools identified as engaged in or interested in some aspects of active learning, and others were school district policymakers. To the extent possible, individuals from a district central office and a school within that district were selected. The analysis of the statutory search and interviews was organized around the key questions given above.

State Laws That Influence Active Learning

Particular aspects of curriculum, instruction, assessment, and student learning goals influence schools' ability to increase active learning. The list below identifies specific kinds of state laws examined through this study and describes the elements of these laws that may influence active learning. Only some of these policies are present in any given state, and the degree to which they are emphasized by state laws varies considerably. Interviews in each state helped to clarify how different schools and districts interpret these laws, although some respondents viewed their state policies as deterrents to active learning, others in the same state viewed them as supportive.

Course requirements. Identifying the courses that high schools must offer assures that every student has access to a comprehensive schooling experience. However, if course requirements are too specific or too numerous, it may be difficult for schools to offer more than "exposure" to each of the disciplines. For example, many of the educators surveyed believe that meeting the state course requirements takes up all of the time and resources available, prohibiting some schools from exercising flexibility in curriculum

development. Under highly specific course requirements, significant alteration of the curriculum or integration of content becomes more difficult.

Graduation requirements. Requiring specific courses for graduation has the same effect as course requirements. Students are responsible for taking the requisite courses for graduation, and the state provides an extensive listing of courses that districts may offer. One respondent noted that schools in very poor districts cannot afford to offer much more than those courses required for graduation.

Textbook selection. Requiring that state-selected textbooks be used by schools helps to guarantee that schools will use up-to-date materials but may make it difficult for teachers to fashion instruction to support different student learning styles. If statewide tests and evaluations are tied to the selected texts, then students gifted in memorization and recall of what they have read will have a distinct advantage. Although textbook selection was not addressed in the survey questions, state respondents in South Carolina and Florida indicated that state selection of textbooks has a negative influence on the ability to alter curriculum locally to meet the needs of students.

State-specified student outcomes or performance objectives. Establishing what students should know and be able to do at particular points in their schooling does not appear to limit schools' ability to increase active learning if a student's inability to meet a specific outcome or objective does not prevent him or her from growth in other areas (e.g., failure to meet a reading objective prevents a student from discussing a piece of literature). However, in responding to questions about Georgia's performance objectives, some state and local respondents indicated that the objectives result in a more uniform curriculum. Locally, respondents were

particularly concerned that the performance objectives inhibited the development of curriculum and instruction, which encourage creative thinking skills, because the objectives are linked to assessment items that do not seem to measure creative thinking.

Statewide performance assessments. Measuring established outcome expectations through large-scale standardized tests will focus attention on what is measured and encourage teachers to tailor instruction in ways that ensure that students score well. Respondents in every state warned that large-scale assessment instruments reflect low student outcome expectations. Focusing the attention of students, teachers, schools, and districts on lower-order (albeit easily measured) skills will encourage teachers to tailor instruction to those skills and "cover" everything likely to be represented on the assessment rather than engage deeply in any particular subject.

Competency testing. Assessing students for achievement of minimum basic skills is a special instance of statewide performance assessment that ensures that teachers and students attend to minimum basic skills for at least a portion of their time. A concern was expressed that, particularly for low-performing schools and students, Florida's defined minimum competencies become a goal rather than a minimum.

Requirements for special honors at graduation. Course and grade plateaus set above those required for graduation allow some students in some states to receive special honors when they graduate. If schools must offer specific, identifiably different courses for these students, the number of individual courses that the school must staff and provide increases. The likelihood of tracking students early in their secondary schooling also increases. South Carolina's requirement specifies honors courses that must be

offered in addition to regular courses. Several respondents noted that schools can integrate these courses by requesting approval for experimental courses. One indicated that school staffs feel compelled to offer separate curricular tracks.

Curriculum frameworks. Course outlines or guides, sometimes accompanied by suggested instructional materials, teacher resource lists, and/or suggested instructional approaches, do not inhibit active learning as long as teachers are not pressured to adhere rigidly to them even though alternative approaches are more appropriate for their students' needs. North Carolina provides teacher handbooks to accompany the state's standard course of study. Use of the handbooks is recommended, but school systems without the resources to develop courses on their own reportedly rely extensively on the handbooks to determine what to teach and how to teach it.

Student promotion specifications. Promotion from one grade to the next tied to test scores or level of mastery based on statewide instruments or procedures may discourage social promotion and helps to assure that students do more than just "put in the time."

If the instruments or procedures are used to supplement, rather than supplant, teachers' judgment about what and how much students have learned, these policies do not limit active learning. As a result of recent changes in Mississippi, student retention and promotion policies are now set by districts, rather than by the state, providing for local adaptations.

Scheduling requirements. Specification of how long or how often classes will meet may limit the ability of schools to fashion schedules in a way that ensures active student engagement in learning. In South Carolina, approved courses that will count toward graduation must meet for 50 minutes daily, five

days a week, for a set number of weeks, or the equivalent. For a school to move, for example, to a block schedule approach, state approval would be needed. The equivalency provision is reportedly invoked often by school districts attempting innovative efforts, and respondents described a number of different options deemed equivalent by the state.

State-level requirements for assigning grades. Standardized grading systems are intended to assure that grades of A, B, or F mean the same thing in one school as in the next. They could, if taken seriously, limit teachers' discretion in deciding when students have performed well enough to be promoted. Florida's standardized grading system was cited by one respondent in this regard. Florida law also encourages the use of alternatives, including teacher observation, to assess student progress.

Innovation grants for teachers or schools. Competitive funds are available in some states to teachers or schools that submit proposals for innovative projects or approaches. These are reportedly effective in stimulating creative projects and could support an increase in active learning. South Carolina has several grant programs, including one for teachers who develop innovative projects. If the goal or the focus of these projects is on increasing active learning, they may act as a starting point for broader change efforts.

Experimentation status. Pilot school or district efforts, granted special status that allows opportunities to try new approaches, can serve as experimental grounds for increasing active learning. Once new approaches are shown to be promising, they can be used to support experimentation elsewhere. Some schools, because of their base of resources (including available time), may be more able to seek and win such grants than others. Local respondents

in Alabama and Georgia believe that the application process is less difficult for affluent and high-performing districts than for other districts.

Experimental status can be a double-edged sword if faculty are expected to continue work in their own school and become trainers elsewhere, as is the case in Georgia. In North Carolina, experimental status accompanied by special funding allowed some schools to begin altering fundamental structures of schooling through the state's Lead Teacher Project. In addition to state support, the schools and districts participating in this effort received encouragement and advice from the Public School Forum, a group that has been influential in supporting reform efforts in the state.

Extending decision making to include the school's community. School site councils that aid in setting goals or devising plans to improve curriculum and instruction may help broaden the expectations and capacity of school decision makers when all of the participants understand their roles and live up to their responsibilities. The significant aspect of these councils for active learning is the changing of typical roles and relationships. Including community members, parents, and others in discussions of school goals and priorities may bring fresh ideas to the table and could also build support for changes early in the development process. South Carolina's School Improvement Councils do not typically make decisions about curriculum, assessment, and instruction, but school boards may choose to give the councils authority not legally delegated elsewhere. All of these councils are responsible for developing school improvement plans, giving council members a significant role in the respective school's activities.

Waivers and exemptions from requirements. To increase active learning, agreements can be made with the state that certain provisions of law will not

apply to a particular school or program. Waivers may be valid for a limited time and require some justification, and multiple waivers may be needed from different individuals or agencies for some efforts. In addition, schools are not typically eligible for waivers if staffs have not secured the support of their district central office. Virtually all of the policies examined were subject to waivers or exemptions, but few respondents knew what was required to receive exemptions from the specific policies.

Recognition and/or rewards for high achievement or improved performance. Based on increased test scores, usually in conjunction with other measures of performance either for superior achievement compared with other systems or for achievement gains over time, recognition and rewards can be an effective means for increasing active learning. For example, a school or district with a record of high or improved performance can gain visibility that may help to secure grants or waivers needed to begin or expand efforts to increase active learning. Local respondents in Alabama, Florida, North Carolina, and South Carolina believe that special recognition or status eases the way for increased flexibility in state policy requirements.

Effects of State Laws on Active Learning

It appears that none of the laws examined would, taken individually, prevent a school from increasing active learning, although a few very specific provisions might discourage schools from making some kinds of changes. A few policies appear to encourage change.

All of the provisions identified in the six states are reportedly subject to waivers if the exception can be defended by a school district. Individual schools, unless they have the support of their school district

and/or have been granted special status, will likely find it difficult to secure waivers from state policies.

The combined effect of various kinds of laws may point to a particular direction so strongly that attempts to try other options are unlikely. A school district that must request a variety of waivers may find it overly difficult or time-consuming to negotiate the various requirements. The person or state organization (e.g., the state department of education or the state board) that exempts districts from curriculum provisions may not be the same one that issues waivers on the use of state-selected textbooks. A plan that differs markedly from traditional schooling is likely to run counter to more than one state provision. However, some districts and schools apparently benefit from benign neglect--if test scores are high and all the reports come in on time, the state does not ask about elements of the program that are out of compliance with state policy.

On the other hand, some provisions encourage schools to experiment with different options. While these policies do not necessarily focus on active learning, an active learning approach can be supported through them. These include incentive grants, experimental status, waivers and exemptions, recognition, and rewards, which are present in different combinations in every state studied.

Preliminary review of state policy approaches to incentives and rewards indicated that programs are available in all six states. However, respondents in only two states were familiar with their state's programs and able to describe changes attributable to them. In South Carolina, teacher innovation grants were said to be a positive influence on curriculum and instruction, and incentive grants provided to schools that perform better than expected were

well-known by all respondents. In North Carolina, a pilot differential-pay project that offered flexibility in decision making, in return for the development of innovative accountability measures, was well-known by almost all respondents.

Significantly, the North Carolina and South Carolina plans were well-funded and information about them was abundant. Recent legislation in both states builds upon the discoveries of the schools whose efforts were funded by the states. In other states, respondents who did know of incentive and reward plans speculated that applications were few because of a cumbersome or time-consuming process or limited funding, and, in one case, because program parameters had not yet been defined. Nearly all of the programs that show promise for increasing restructuring for active learning have been developed during the last three to five years.

Who Determines Learning Policies?

To help identify how and where learning policies or the policy environment might best be adjusted, each person interviewed was asked to identify the level of the education system with the most influence in each of the four areas of learning policy: curriculum, assessment, instruction, and student learning goals. Perceptions are as important as the actual law when determining whether and how to adjust policy. Acknowledging the small size of the sample and the fact that those responding each had a different view of one of the six states' systems, the results revealed a few significant patterns.

Curriculum. Across the six states, state and local respondents generally agreed that the state agency has the greatest influence on curriculum. A few mentioned districts or schools as having some influence as

well. While indicating that influences are different now from in the past, respondents from North Carolina offered a very mixed picture of influences, including the state, colleges, counties, districts, teachers, national reports, and the Consortium for the Development of Thinking for Learning. Respondents from other states mentioned standardized testing, textbooks, higher education, and business/industry as influencing curriculum.

Assessment. Those interviewed were in greater agreement over assessment than any of the other areas--they indicated that the state has more influence than any other level in the system. District- and teacher-made tests and national reports were noted as having some influence, and one respondent indicated that businesses are increasing their influence in this, as well as other, areas of learning policy.

Instruction. There was less agreement about influence over instruction. The state was still considered by respondents to have more influence than other levels in the educational system; however, in one state, no respondents cited the state as a primary influence. In another state, all of those interviewed indicated that the state had the most influence. By a slim margin, schools were deemed to be the next greatest influence, followed closely by districts. Many respondents felt that teachers make instructional decisions, and one noted the influence of textbook publishers.

Student learning goals. Responses were mixed concerning student learning goals as well. The state was considered the primary influence by a majority, but districts, schools, and teachers were also cited frequently for their influence in this area. In some instances, students, the business community, and special interest groups also were considered influential.

Who Influences Decisions?

Agreement across role groups (e.g., state policymakers, district policymakers) about who influences decisions was rare--except that nearly every respondent in each of the six states cited the state as the primary influence on assessment.

One theme echoed by local respondents in several states was that some districts have greater influence than other districts. Small, rural, and predominantly low-income districts were considered to have fewer options and more limited influence over decisions about curriculum, instruction, and student learning goals than larger, urban, and upper-income districts.

Each of the respondents was asked how much leeway he or she had to implement change in the four categories. About half of the state-level respondents felt that they had a significant or fair amount of leeway to implement change; the other half thought that they had relatively little. In some cases, state-level respondents indicated that they could implement change only through advising or influencing others. Local respondents gave mixed answers as well. A few felt quite powerless to implement change; others indicated that they have considerable leeway, or they routinely interpret state policies in ways that support their efforts. Still others felt that they could implement change in some areas or could only make changes once the state's requirements were met. Only in Florida did respondents from school districts that were undertaking restructuring efforts consistently state that they had at least some leeway to implement change, and a few felt they had more leeway than their peers.

In spite of the lack of consistency among responses, particular comments might help focus future studies of this type. Many of the local respondents

who felt that they could implement change indicated that they were willing to risk making their own interpretation of policies. They interpret policy in ways that support what they want to do rather than allow a policy to limit activities they consider to be important. Some said that they had increased leeway to implement change as a result of special programs in which they were involved. Those local respondents who did not believe they could implement significant change also said that the state made most of the decisions regarding curriculum, assessment, and student learning goals.

Implications of Findings for Policy and Policy Environment

Given the facts that restructuring itself is at a very early stage in development, that only a handful of restructuring efforts are working specifically to increase active learning, and that state policies have not focused on this goal, it would be unreasonable to expect that the laws studied would specifically support restructuring for active learning. In addition, for many of the same reasons, this report does not suggest that states engage in massive policy change to support this goal. Until more is known about how student learning is actually affected by changes in schooling structures, broad reform in this direction would be premature.

However, the study group that conducted the active learning study concluded that there is much that can be done in the state policy arena to encourage experiments in active learning. As these experiments mature, they will provide hard data about successes. Among the recommendations:

1. Develop coherence in how the state presents goals and expectations for students, schools, and districts. Educators and administrators who are exceptionally motivated will create coherence for themselves by

interpreting laws and mandates in ways that will support their priorities. However, for a majority of school faculty and district staff members, state policy currently does not represent a coherent vision of schooling that would help guide restructuring. Policymakers should pull together state laws governing curriculum, instruction, assessment, and student learning goals and then step back and think about the vision of schooling they represent. Is it coherent? Does it challenge students, teachers, and administrators?

2. Use the fact that state assessments drive curriculum to make sure that the outcomes measured are desirable outcomes. For state-developed assessments, test-item banks can be examined and supplemented or altered to include more items that encourage students to practice complex tasks and require students to accomplish important tasks. Holistic writing tests are becoming more prevalent and are a good example of the kind of assessments needed. Alternative accountability measures should be emphasized, and ways need to be found to incorporate them into the state assessment system, not as add-ons, but as a central part of the system.

3. Highlight policies that seem to succeed in stimulating responsible experimentation. For example, incentive and reward programs, experimental efforts, and awareness about the options available under state policy can encourage new development. To the extent that these efforts focus on increasing active learning, they will offer a "proving ground" for strategies that are effective.

4. Help school districts to understand the intent of state policies as well as what they can and cannot do under state law. If school change plans appear to have potential, promote ways to ease the acquisition of

necessary waivers or exemptions. Perhaps an individual at the state level can be identified to develop a thorough understanding of the proposed changes. He or she, too, may be made responsible for running interference with the various departments and state bodies that must approve the plan prior to issuing a waiver. An alternative might be to identify more clearly the steps and prerequisites required for securing a waiver, so that district staff are not frustrated in their attempts to support innovative school efforts.

IV. DISCUSSION

While state approaches to regulating and administering education vary considerably, numerous studies during the 1980s seem to suggest that secondary schools around the country are similar. State policies governing secondary schools certainly influence how American students are educated, but laws alone do not constitute the whole of policymakers' influence.

Statutes are interpreted in state board regulations, administered through state education agencies, and reinterpreted by district central office staff. The result may be that what school faculty perceive to be "state law" is actually far removed from what policymakers intended.

But policy interpretation does not explain entirely the distance between what policymakers say they want and what teachers and principals believe is required. The direct impact and more subtle influences of laws vary greatly depending on what might be called the "policy environment," which includes the following:

- Long-standing traditions, which are different in each state, about who is responsible for certain aspects of education, the political history or patterns, and how changes are made. Today, governors and legislatures in many states are more active in formulating education policy than they have been in the past. Some state departments of education have traditionally exercised significant control of administrative and regulatory aspects of the state education system. Often, in the midst of changes, the definition of responsibilities is unclear, and political responses to mandates for change may make it difficult for local policymakers to determine what is expected.

- The state's economic, social, and demographic conditions and how these influence education. Few states are fortunate enough to have sufficient funds to support all of their educational activities and programs at the level that might be desired. Sometimes laudable programs and mandates simply cannot be funded at a level that might ensure effectiveness, and it is not unusual for competing interest groups to squabble over funds that are available. Balancing the interests of rural and urban or wealthy and impoverished school districts may also alter the impact of state laws.
- The degree of policy entrenchment or the level of acceptance of current policy among those who will need to change. Strong statewide support for particular policy directions can increase school and district motivation to risk changes or, alternatively, provide a disincentive for protecting the status quo. Uncertain or sporadic support for new policies increases the risk a district or school takes in implementing changes based on the policies. For many people, too, there is a certain comfort that comes from knowing the regulations and traditions that define one's work. Moreover, people frequently resist fundamental changes to what they already know and do well.
- The level of understanding among school and district staff about the intent of the laws. Because so few school and district faculty typically are involved in the fashioning of state policy, most have no way of developing a good understanding of what the policy is intended to do and how they are expected to accomplish that intent. Inaccurate or misleading information about the policy from informal sources can alter the policy's impact, and official information may be misconstrued. Some

local policymakers feel that they must adhere closely to the letter of the law; others are accustomed to interpreting policy directives in a way that supports their preferences.

- The degree to which information reaches policymakers about the impact that changes in laws have on schools and districts. Even when policymakers are willing to adjust legislation and state regulations, there are no effective mechanisms to provide feedback about the unintended impacts of policy in most states. If the impacts are severe or if policies result in profound changes, policymakers may learn of the effects through organized efforts among educators or through the media. Policymakers who maintain frequent contact with practicing educators in different parts of the state and at different levels of the system may hear more about the effects of policy.

APPENDIX A

EXAMPLES OF STATE- AND DISTRICT-INITIATED RESTRUCTURING

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EXAMPLES OF STATE- AND DISTRICT-INITIATED RESTRUCTURING

Provided below are examples of efforts currently under way in a number of districts and states. The approaches have surfaced through analysis and reflection based on the activities under way in districts, schools, and states where people believe fundamental changes are needed in their education system.

Three main criteria were used to select efforts for inclusion in this compilation: information about them was readily available in the national media; they are at least in their second year of activity; and they have received the support of the state, the district, or both. Particular attention was paid to efforts in the six states in the SEIL region.

This compilation is meant to be illustrative, not comprehensive, and does not include all of the exciting experiments in restructuring in American education. There are also some important national networks that did not meet the system support criterion but have had a significant impact on the restructuring movement. These include the National Network for Educational Renewal, a consortium of school/university partnerships directed by John Goodlad; the Mastery-in-Learning network and the newer Learning Laboratories, supported by the National Education Association; the American Federation of Teachers' Restructuring Schools project; and the Coalition of Essential Schools, directed by Ted Sizer at Brown University. Although the networks are not described separately, many of the restructuring efforts below are affiliated with one or more of these national efforts.

SCHOOL DISTRICT-INITIATED RESTRUCTURING

Dade County, Florida, Schools

In 1986, the Dade County Board of Education approved a program for union and district officials to waive district regulations and contract provisions that deter site-based management. Grievance procedures were changed to allow collective bargaining complaints to be handled at the 32 pilot schools, which also have control over how they spend money, allocate staff, and organize instruction. Principals and teachers must find ways to run the school together, and changes must have a measurable benefit for students. The regular reporting system has been bypassed to allow schools to report directly to central administrators.

The effort has spread well beyond the original pilot schools, and principals and teachers are finding creative ways to use their new-found authority. For example, one school received waivers to hire noncertified teachers with special talents to teach in their areas of expertise. Another added a seventh period to allow teachers formal time for school-based management. A junior high faculty replaced its assistant principal position with two teachers who devote a portion of their time to counseling.

Beginning with a focus on improved school governance, some of the Dade County schools have begun to alter structures such as the use of human resources and time. Changes in the traditional relationships between the union and school district help to support this effort.

Orangeburg School District 5 (Orangeburg), South Carolina

Orangeburg is focusing its "Project Education Reform: Time for Results" in part upon the recommendations found in the National Governors' Association (NGA) 1991 Report on Education. The project, begun in 1987, is a cooperative effort of the district, the NGA, and the U.S. Department of Education. However, it receives its chief support from the South Carolina Department of Education. Orangeburg's goals build on progress already made through the enactment of the South Carolina Educational Improvement Act of 1984.

Some goals of the Orangeburg effort are to redesign schools to create more productive working and learning environments; training programs for administrators involving partnerships with universities, academies, businesses, and schools; school-site management and accountability; and incentives, technical assistance, and training for school personnel to implement effective school and classroom procedures. This effort began with a focus on professionalism and, to a lesser degree, improved governance.

With the recent passage of South Carolina's Target 2000 bill, an increased emphasis on higher-order learning may occur. Target 2000 modified a variety of statutes having to do with curriculum, assessment, governance, finance, and accountability to support the ability of schools to increase higher-order learning. As a result, school districts that meet certain threshold

conditions may experience more flexibility in meeting standards and reporting results.

New York City School District 4 (East Harlem), New York

In 1974, Superintendent Anthony Alvarado initiated two alternative schools, with more added each year since. By 1980, all district sixth-graders had a choice of which junior high school they would attend. This led to the development of elementary schools of choice, as well as Central Park East School (CPE), which is actually a network of four schools, three elementary and one 7th- through 12th-grade school. Recognized nationally as a model for teacher-developed schools in an inner-city setting, CPE is also known as a school experienced in restructuring. Teachers have altered the structures of schooling to encourage active learning among students and they adjust curriculum and instruction frequently. Students graduating from CPE are expected to show what they have learned in their studies through a culminating exhibition of mastery, which they have designed with the support of their teachers.

Alvarado's replacement, Carlos Medina, also supports the concept of choice in which new alternatives are usually designed by individuals or groups of teachers. The district helps school staff put together the components. Teachers and programs must meet the usual city, state, and union contract requirements but, beyond that, arrangements are flexible. Most buildings now house several schools, each with its own leadership, student body, curricular focus, organization, and philosophy. Parents more easily can identify with their children's school because each school is smaller than before, different from the others, and has fewer faculty and staff for parents to get to know.

Although the activities in District 4 began with an emphasis on improved governance, the CPE experience suggests that increased control over one's work can lead to increased creativity. At CPE, this creativity has translated into a marked increase in active learning. However, many other factors were at work, and it cannot be argued that the governance changes alone were responsible for the structural changes. It is fair to speculate that <u>without</u> the governance changes, the structural changes may not have occurred.

Hammond Public Schools (Hammond), Indiana

A negotiated agreement between the district and the teachers' union allows teachers, on a school-by-school basis, to set aside elements of their contract to implement school improvement plans. The district adopted a plan, called the School Improvement Process (SIP), under which each school has a 15-20-member committee representing various role groups (including students). Committee members have a significant role in the governance of the school and receive initial training in consensus-building, brainstorming, creative problem solving, and group dynamics. After the training, they are expected to train others.

The only rule concerning committee membership is that the principal should not chair the committee. The only specific limitation on decision making is that no decision made by one school can have a negative impact on programs or teachers in other buildings. If a committee decision conflicts with board policy, a system-wide review council meets to examine the proposal.

A $2 million school district budget deficit in 1985, which was predicted to rise, dropped to $500,000 by January 1988 through the cooperative efforts of the school board, administration, teachers, parents, and community members. The SIP process, which began as a pilot project in 1982 at Hammond High School, was instrumental in decreasing vandalism, and increasing student attendance and achievement. The SIP team has since helped in the selection of a new principal and instituted a coaching/mentoring program. An alternative mathematics program recently introduced small-group instruction, peer tutoring, team teaching, and student advancement based on subject mastery, rather than time spent in class. Schools are now considerably different, with innovative ideas emerging from each. With each school responsible for planning, implementation, and evaluation of its programs, faculty members reportedly put forth more effort to gather knowledge to make informed decisions. Again, the Hammond effort began with changes in governance and was supported through new relationships among district and union officials, teachers, and community members. Those involved are exploring programs to increase learning by shifting traditional classroom structures.

Jefferson County, Kentucky, Schools

The Jefferson County Public Schools (JCPS) form the 17th-largest district in the country, the result of a 1975 court-ordered merger of the city and county systems. In 1985, a partnership between the Gheens Foundation and the school district resulted in the JCPS/Gheens Professional Development Academy, formed to focus on the links between staff development and school improvement. It is affiliated so closely with the district central office that it is difficult to separate the two entities. For example, the district in-service unit was merged with the academy; by 1987-88, the academy took over responsibility for student teaching and organized a Leadership Academy.

The Gheens Academy provides resources and support for a variety of programs including professional development schools (funded by the Carnegie and Matsushita Foundations), clinical supervision, the I/D/E/A principals' in-service program, beginning teacher internship program, minority teacher recruitment project, "learning choices" magnet schools, Middle Grades Assessment Program, a curriculum resource center, and a professional library.

The Academy's vision is to "help JCPS to become a place where every leader is a teacher, every teacher is a leader, and every student is a success." The emphasis is on participatory management, and pilot school staffs are allowed to deviate from the union contract within certain parameters. Within the district's network of supports, a variety of experiments are under way. For example, Fairdale High School, one of the district's schools that belong to the Coalition of Essential Schools, has worked to increase personalization and active learning techniques.

The Jefferson County effort began with emphasis on professionalization and meeting the needs of all students. The district is seeking to restructure its own operations as it supports schools working to restructure. As one of the initial steps in this effort, school principals recently began reporting directly to the superintendent and have formed small groups to take a broader look at the issue of large-scale change.

Rochester, New York, Schools

In the fall of 1987, a coalition including the superintendent, teachers' union president, local business representatives, president of the University of Rochester, and the leader of the Urban League agreed to develop a new union contract. Included in the agreement was the creation of a four-step career ladder for teachers. This allows teachers to earn promotions to positions paying higher salaries and offering increased responsibility while they remain in the classroom. Through the contract, lead teachers, those at the top of the career ladder, could earn $70,000.

Rochester's plan is based largely on the report of the Carnegie Forum for Education and the Economy, A Nation Prepared: Teachers for the 21st Century. Rochester responded in 1987 with A Region Prepared. This report highlights the district's ambitious plan for shifting decision making and accountability to teachers and administrators in schools, changing training and hiring of teachers, focusing on the needs of at risk students, and graduating students with discipline, self-determination, and the skills necessary for the workplace. The Rochester school personnel focused originally on professionalization, but also emphasized governance. The plan was supported by changes in the relationships between district, union, and university.

STATE-INITIATED RESTRUCTURING

North Carolina's Lead Teachers/Restructuring Project

In 1987, North Carolina initiated a project designed to improve student learning through combining differentiated pay and new roles for teachers with school-based decision making. Six schools in three counties participated in the initial two-year, $450,000 pilot program. These schools were generally freed from existing rules and regulations in exchange for providing lawmakers with evidence of student performance and employee satisfaction. Some schools dramatically altered traditional structures of schooling, for example, eliminating age-grading in a kindergarten through eighth-grade school in favor of multi-age groupings of students, replacing six-period schedules in a high school with eight 90-minute instructional blocks that rotate every two days, and exploring teaching methods such as collaborative learning and the Socratic seminar approach.

The pilot effort was modified and extended by North Carolina's recent School Improvement and Accountability Act of 1989. The law offers local school systems the flexibility to develop local plans to improve student achievement. Flexibility is provided through waivers of certain state regulations and

funding restrictions, additional funding for differentiated pay plans for employees, and the establishment of local goals.

Because of its early roots in differentiated pay plans, the North Carolina effort began with an emphasis on professionalization of teaching and, with the initiation of the Lead Teacher Project, has moved into changing governance structures. School staffs are making changes more closely connected to their work with students--in age-grading, schedules, and approaches to teaching.

Maine's Restructuring Schools Project

Initiated in 1987, Maine's restructuring project encourages schools to study, plan for, and implement change to improve student learning. Major activities of participating schools include: becoming familiar with and applying research on school change, staff development, and other related areas; assessing, setting priorities for steps, and gathering support for restructuring; and developing strategies to implement restructuring. The Maine Department of Education and Cultural Services has provided seven schools with $10,000 planning grants and three with 3-year implementation grants of $50,000 each year. Participating schools may request waivers from state rules and regulations that impede approved plans. Schools must devise measures to evaluate and report on their programs. A steering committee with education department, university, and research representation provides assistance to participating schools.

The Maine project began with an emphasis on professionalization through the learning of new skills by educators.

Massachusetts' Carnegie Model Schools

The Massachusetts Legislature, through its "Teacher Enhancement Bill," initiated a program in 1987 based on the Carnegie Forum report A Nation Prepared. The report recommended empowering individual schools, enhancing school-based authority, using diverse teaching approaches, and creating cooperative endeavors between communities and schools.

Seven schools, including three secondary schools, were granted $30,000 for one year of planning and promised additional support over the next four years to develop innovative organizations and management systems to improve student learning. Project authors assume that learning is a lifelong process. They recognize that change is complex and will take time and many revisions. Through this project, they hope to create a state education system that has broad universal goals and meets the needs of individuals. Plans vary from school to school, although some elements are common within all plans. In particular, they emphasize creating active learning environments, enlarging the decision-making arena, organizing the school to support student learning instead of administrative ease, and being patient with the process of restructuring.

The seven schools have completed their planning year and are ready to begin implementing their plans. Schools have expressed the importance of forming networks with other Carnegie schools to help maintain enthusiasm for restructuring, to reduce isolation, and to receive support from others working to restructure. This effort began with a focus on improved governance and professionalization and includes aspects of restructuring for more active student learning.

Washington's Schools for the 21st Century

Developed by Governor Booth Gardner and enacted by the Washington State Legislature, this project, begun in 1988, also was modeled on ideas expressed in A Nation Prepared. Individual programs within the 21 pilot schools, 5 of which are high schools, vary in focus from at risk youth, technology advancement, global education, and parent involvement to a multi-cultural curriculum. About $2.5 million, to be spent over six years, was awarded to help schools develop and implement a locally designed restructuring plan aimed at "providing a more professional environment for teaching and an optimum environment for learning." Schools received state funding, as well as waivers from state rules to help them implement innovative programs.

A major part of the funding is used to employ teachers for 10 additional days each year. Each project site is required to provide continuous evaluation and modify programs as it sees fit. As with the Massachusetts effort, the Washington project combines governance and professionalization.

Connecticut's Common Core of Learning

Initiated by the Connecticut State Board of Education in 1987, the purpose of the Common Core of Learning (CCL) is to recommend to local districts a set of standards for an "educated citizen." The CCL consists of three groups of skills, knowledges, and attitudes: "Attributes and Attitudes," such as self-concepts, motivation and persistence, responsibility and self-reliance, intellectual curiosity, interpersonal relations, sense of community, and moral and ethical values; "Skills and Competencies," such as reading, writing, speaking, listening and viewing, quantitative skills, reasoning and problem solving, and learning and study skills; and "Understandings and Applications," such as the arts, career and vocations, cultures and languages, history, social studies, literature, mathematics, physical development and health, and science and technology. These sets of skills, knowledges, and attitudes are designed to develop a well-rounded person who has the attitudes necessary to determine goals, behaviors, and responses to others; a critical intellectual foundation necessary to acquire broader knowledge; and the ability to apply knowledge and experiences in adult life.

The CCL varies from other lists of skills and competencies in several significant ways. First, a consortium of schools, school districts, regional service centers, institutions of higher education, and the state department of education formed to begin implementing the CCL as it was being developed and provided feedback to the development process. Also, school, district, and

institution representatives involved in this effort commit to strive for continual improvement and operate on the belief that all students must learn and perform at higher levels.

Since the beginning of CCL, there has been an increased call for widespread collaboration among all those who are directly or indirectly affected by the state's education system. Likewise, there is increased interest in helping local districts and schools to "reconfigure" their work, rather than adding on to what they are already doing. With a clear beginning emphasis on restructuring for more active student learning, there is some indication that roles and relationships have altered as a result of working to implement the CCL.

Re:Learning From Schoolhouse to Statehouse

In the fall of 1987, a partnership, Re:Learning, was formed between the Coalition of Essential Schools, a group of over 50 schools working together to carry out nine principles of schooling under the direction of Ted Sizer and the Education Commission of the States, an interstate compact for education serving governors, legislators, state board members, and other state policymakers. Since 1984, the Coalition of Essential Schools has sought to engage students in active learning, and some have altered the structures of schooling to do so.

By the summer of 1988, five states--Arkansas, Delaware, Illinois, New Mexico, and Rhode Island--had joined the effort, agreeing to support approximately ten schools over five years as they attempted to rethink their work along the lines of the nine principles of the Coalition of Essential Schools. Pennsylvania brought the number of participating states to six in 1989.

Each state further agreed to form a cross-role group, made up of educators, policymakers, and business and community leaders, to begin the process of building a new vision for education in the state based on principles of organization and change. An in-state school coordinator is provided in each state to help school faculties and administrators work toward carrying out the principles, and a state leader is responsible for convening the cross-role group.

The Re:Learning effort is grounded in the belief that school restructuring must begin with the central purpose of schooling--enabling students to learn to use their minds well. As schools work toward this goal, district and state policymakers find ways to support the work in schools and, as a result, may need to rethink their own organizational structure. The states using this strategy are aided in their efforts by consultation with peers from other states.

APPENDIX B

COMPILATION OF STATE LAWS FOR POLICY STUDY

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COMPILATION OF STATE LAWS FOR POLICY STUDY

Following are some procedures and guidelines that may help with this analysis. It should be noted that references to the laws of particular states are provided simply as examples to clarify the process; no value judgments are intended.

1. STATE CONSTITUTION

Read the state constitution and determine the delegation of authority. For example, the constitutions of Arkansas, California, Colorado, Connecticut, Delaware, and Iowa delegate supervision of the public schools to the general assembly. Florida's and Georgia's constitutions delegate supervisory authority to the state board of education (SBE). In Florida, the governor and his cabinet members make up the SBE, and, in Georgia, the governor appoints the members of the SBE. In both instances, the governor plays a fairly powerful role in education. The Illinois constitution states that the SBE is to be "elected or selected," thereby leaving the decision in the hands of the legislature.

What type of school system is mandated? Various descriptions include "general, suitable and efficient" (Arkansas); "free common schools" (California); "thorough and uniform system of free public schools" (Colorado); and "high quality" (Illinois). The word "uniform" has resulted in numerous lawsuits[1], followed by equalization-type laws. Vermont's constitution says only that "a competent number of schools ought to be maintained," making a very strong case for local control.

2. STATE STATUTES

First, go to the INDEX of the state statutes and locate the applicable laws. In some states, all state laws pertaining to education have been compiled in a special set of chapters or a volume for education. However, relevant laws, such as finance laws and formulas, may also be found outside of the education section. Statute books can be found in law libraries and in large public libraries. In most instances, the applicable statutes for purposes of this project will be contained in one or two volumes.

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[1] See, e.g., McInnis v. Shapiro, 293 F.Supp. 327 (N.D.Ill. 1968), aff'd sub nom. McGinnis v. Ogilvie, 394 U.S. 322 (1969) (court found that the Illinois scheme for financing public education reflected a rational policy consistent with the mandate of the Illinois constitution); Serrano v. Priest, 5 Cal.3d 584, 96 Cal. Rptr. 601, 487 P.2d 1241 (1971) (court rejected plaintiffs' claim that the school financing scheme violated the California constitutional provision requiring the legislature to provide for a system of free common schools, but on appeal - 557 P.2d 929, 951, Cal. 1976 - the court did uphold the prior ruling that California's school funding was unconstitutional); Robinson v. Cahill, 303 A.2d 273 (N.J. 1973), cert. denied sub nom. Dickey v. Robinson, 414 U.S. 976 (1973) (court held that the funding system did not satisfy the state's obligation to provide a "thorough and efficient" system of schools).

The statute books are updated annually by use of a "pocket part" to be found in the back of the book. Be sure to check this pocket part for amendments. If the legislature is in session, you should be able to get copies of education bills that are currently under consideration or those that have been passed since publication of the pocket part. These may be important and should be reviewed. Call your legislative information office for assistance in locating copies. A recent trend in legal publications is e annual revision and publication of statutes by local firms--these do not contain pocket parts, but it is important to make sure that you have the current year.

When reviewing statutes, be aware of recent major changes--most of these probably reflect some area of reform and will be pertinent to your analysis.

Watch for statements that may imply a policy, rather than state it directly. For example, the statutes may say that "local control" is desired but may direct the local school districts to comply with certain regulations in an area that might be better decided by the district. Often you will see a procedure that, though it may not <u>be</u> a policy, <u>reflects</u> a policy.

Look for laws that have an impact on any of the following categories of policy:

a. Learning (includes curriculum, assessment, instruction, student goals).

b. Organization (includes delegation of powers and duties to SBE; commissioner of education, state department of education (DOE), and district, county, or town school boards).

c. Inclusion (includes statutes that demand or recommend participation by teachers, pupils, parents, community members, minorities, etc.).

d. Renewal (includes sunshine laws and laws pertaining to teacher and administrator recertification).

In some cases, you may want to look beyond the statutes to the <u>legislative history</u>. In some states, one can go to the State Archives and listen to tapes of legislative hearings. In your state, the legislative history may be available in writing. The legislative information office should be able to help you locate what you need.

3. <u>STATE CODE OF REGULATIONS</u>

Although the constitution may have delegated authority, as stated above, the legislature usually goes further and delegates policymaking to the SBE and rule-making authority to the DOE. A "superintendent of public instruction" or a "commissioner of education" is generally given the duty of administering the DOE.

The rules and regulations promulgated by the DOE can be found in law libraries, large public libraries, or a state depository or obtained from the DOE. The rules should specifically address those areas delegated by statute.

In some states, the attorney general must write an opinion about each rule promulgated, stating the authority for the rule. If the constitutionality of a rule is in doubt, look for the attorney general's opinion (usually published in a separate volume) of the rule's legality.

4. STATE DEPARTMENT OF EDUCATION

Some states have a state depository as a function of the state library or as part of the DOE. By using the card catalog, it should be possible to find policy manuals or reports that define the goals or policies of the DOE. Barring the existence of a state depository, the policies should be available directly from the DOE.

5. LOCAL DISTRICTS

After the review and analysis of the constitution, statutes, rules, and regulations promulgated at the state level, it will be necessary to obtain policy and rule manuals from individual school districts. The districts cannot perform any function that has not been delegated by some higher authority (constitution, legislature, DOE, or SBE). Look for policies and rules that have an effect, or potential effect, on the area under study. [Note, the pilot study of active learning did not analyze local policies.]

SUGGESTED REFERENCE SOURCES

a. Public libraries.
b. Law libraries.
c. State library.
d. State depository.
e. Local school districts--board of education, central administration, departments.
f. Interviews with teachers, administrators, state-level people, and business and community leaders who are involved in education.

APPENDIX C

ACTIVE LEARNING

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ACTIVE LEARNING

Research on learning suggests that if all students are to reach higher levels of competency and thoughtfulness, schools must rethink their approach to student learning goals, curriculum, instruction, and assessment. Studies of learning implicitly recommend a system of schooling that develops the capacity of all students to make meaning out of information presented to them.

To cognitive psychologists, even the acquisition of the most rudimentary arithmetic skills requires thought and mental construction--active learning.

> The most important single message of modern research on the nature of thinking is that the kinds of activities traditionally associated with thinking are not limited to advanced levels of development. Instead, these activities are an intimate part of even elementary levels of reading, mathematics, and other branches of learning--when learning is proceeding well. In fact, the term "higher-order" skills is probably itself fundamentally misleading, for it suggests that another set of skills, presumably called "lower order," needs to come first. This assumption--that there is a sequence from lower-level activities that do not require much independent thinking or judgment to higher level ones that do--colors much educational theory and practice. Implicitly at least, it justifies long years of drill on the "basics" before thinking and problem solving are demanded.[2]

Students who merely ingest addition facts will be able to use them on worksheets and on standardized tests with worksheet formats. However, only the students who have made meaning of the ideas and facts of addition, subtraction, multiplication, and division will be able to manipulate those facts and apply them to new situations.

Traditional teaching practices--emphasizing lecture and drill--have focused on placing bits of knowledge in students' heads, rather than on helping them to construct their own understanding of that knowledge. Excellent students have figured out how to do this mental construction on their own. Out of the welter of information that is presented to them, they create a mental architecture that assembles the facts into a meaningful whole, incorporating strategies for tackling unfamiliar problems. Not only do these students do well on basic skills tests, they do well applying their knowledge to situations different from the ones in which they were taught.

Within this framework, the task of teaching a curriculum is to help students build mental bridges between themselves and the disciplines and to initiate young people gradually into the variety of ways of making meaning in diverse areas of experience.

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[2] Resnick, L. Education and Learning to Think, p. 8. Washington, DC: National Academy Press, 1987.

This demands that teachers understand their subjects well enough to be able to respond flexibly to the lives, interests, and thought patterns of their students while honoring the subjects they teach--i.e., teaching is personalized. It demands that students be respected enough to be given real work to do with their minds--the students are expected to work at constructing meaning. Finally, it demands that the curriculum be more than "topics" to be "covered"--teachers engage the minds of their students by showing them alternative ways of approaching important subjects so that the student can fully understand them.

This last demand leads to the aphorism "less is more," based on the belief that the qualities of mind that should be the goal of public education need time to grow and that they develop best when engaging a few important ideas deeply. In the words of Grant Wiggins, "Students come to understand ideas the way they develop habits: by actively playing with them, exploring them, and 'practicing' them--all of which is impossible unless teachers are allowed to slow things down and cover less."[3]

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[3] Wiggins, G. "Creating a thought-provoking curriculum." American Educator, Winter 1987.